IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 15444 of 2007(L)

PETITIONER:

S.BAIJU, AGED 34,
S/O.SOMARAJAN, PROPRIETOR OF M/S.ASIAN
HARDWARE AND GLASS NJEKKADU, VADASSERIKONAM
VARKALA AND RESIDING AT REENA HOUSE, VENKULAM,
EDAVA VILLAGE, VARKALA, THIRUVANANTHAPURAM DIST.

BY ADV. SRI.V.VENUGOPALAN NAIR
SRI.C.UNNIKRISHNAN (KOLLAM)

RESPONDENTS:

1. THE DISTRICT COLLECTOR, KOLLAM.

2. THE SUB INSPECTOR OF POLICE,
PARIPALLY, KOLLAM DISTRICT.

BY G.P. SHRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

==========

W.P.(C).No.15444 of 2007

==========

Dated this the 29th day of May, 2007

J U D G M E N T

Petitioner's vehicle bearing registration No.KL-16-D-3780 has been seized alleging illegal transportation of river sand. The petitioner seeks interim custody of the vehicle pending final orders to be passed by the District Collector.

2. I have heard the learned counsel for the petitioner as also the learned Government Pleader.

3. In the facts and circumstances of the case, I dispose of this writ petition with the following directions:

The vehicle mentioned above would be released to the petitioner on the petitioner executing a bank guarantee for an amount of Rs.25,000/- which would be the maximum amount payable if the decision of the 1st respondent goes against. The petitioner shall also produce proof of ownership of the

vehicle. The petitioner shall not alienate or otherwise part with possession of the vehicle till final orders are passed by the 1st respondent.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.